REMARKS

Claims 11-20 were previously pending in the application. This Amendment amends claims 11, 14, and 17-19. Claims 12, 13, 15, 16, and 20 remain unchanged. Claims 11, 17, and 19 are independent.

Allowable Subject Matter:

Applicants gratefully acknowledge the Office Action's indication that claims 17-20 would be allowable if rewritten in independent form.

Claims 17 and 19 are rewritten in independent form. Claims 17-20 should now be allowed.

The Drawing Objections

The Office Action objects to the drawings as allegedly failing to comply with 37 C.F.R. § 1.84(p)(4) because reference character "16" has been used to designate both friction bearing and radial projections -- disks.

The specification very clearly describes that the two radial disks on the connecting shaft 8 form a friction bearing. See, e.g., page 7, lies 21-27. Thus, the radial disks form the friction bearing and are correctly identified by reference numeral "16".

This Amendment amends the specification to correct inconsistencies in the use of reference numeral "16", thereby obviating this objection. No new matter is added.

Applicants respectfully request withdrawal of this objection.

The Office Action also objects to the drawings under 37 C.F.R. § 1.83(a) as allegedly failing to show every feature of the invention specified in the claims, including the "safety-friction clutch." Applicants respectfully traverse this objection.

Contrary to the assertions in the Office Action, Applicants respectfully submit that the drawings very clearly show the features of the "safety-friction clutch", and therefore, comply with 37 C.F.R. § 1.83(a).

The specification at page 4, lines 3-6, clearly states that the free end of the connecting shaft 18 and the hub 17 of the impeller of the circulatory pump are configured so that they form a safety-friction clutch where the drive force is transmitted by mutual friction between the connecting shaft and the impeller of the circulatory pump. The specification very clearly identifies the "safety-friction clutch" as "safety-friction clutch 17, 18" at page 9, liens 1-6.

FIG. 2 very clearly illustrates the free end of the connecting axle 18 and the hub of the impeller 17, which form the safety-friction clutch.

For at least these reasons, the drawings very clearly show the features of the "safety-friction clutch", and therefore, comply with 37 C.F.R. § 1.83(a). No drawing amendments are believed necessary.

Applicants respectfully request withdrawal of this objection.

The Specification Objections

The disclosure is objected to because of informalities. This Amendment amends the specification to obviate this objection.

Applicants respectfully request withdrawal of this objection.

The Claim Objections

The Office Action objects to claim 18 because of informalities. This Amendment amends claim 18 to correct the informalities, thereby obviating these objections.

Applicants respectfully request withdrawal of this objection.

The Rejections under 35 U.S.C. § 112, second paragraph

The Office Action rejects claim 12 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, the Office Action asserts that the term "safety-friction clutch" (sic) in claim 12 is used by the claim to mean

"clutch", while the accepted meaning is "axle-seat," and therefore, the term is deemed indefinite because the specification allegedly does not clearly redefine the term.

Applicants respectfully traverse this rejection.

Contrary to the assertion in the Office Action, Applicants respectfully submit that the term "safety-friction clutch" very clearly is not used in a manner that is contrary to the accepted meaning.

The term "clutch" commonly is defined as "a coupling used to connect and disconnect a driving and a driven part [...] of a mechanism." See Merriam-Webster Online Dictionary © 2009.

The specification of the present application very clearly and particularly defines the term "safety-friction clutch" in a manner that is consistent with the ordinary meaning of this term. For example, the specification at page 4, lines 3-6, very clearly states that "the free end of the connecting shaft and the hub of the impeller of the circulatory pump are preferably configured so that they form a safety-friction clutch where the drive force is transmitted by mutual friction between the connecting shaft and the impeller of the circulatory pump." Emphasis added. See also, e.g., page 8, lines 26-30; and page 9, lines 1-6.

FIGS. 1 and 2 illustrate the free end of the connecting axle 18 and the hub of the impeller 17. As shown in FIG. 1, the free end of the connecting axle 18 and the hub of the impeller 17 are configured to transmit the drive force by mutual friction upon being coupled. As shown in FIG. 2, the free end of the connecting axle 18 and the hub of the impeller 17 are configured to not transmit drive force upon being decoupled. See, e.g., page 7, lines 6-19.

Hence, the term "safety-friction clutch" very clearly is not used in a manner that is contrary to the accepted meaning.

For at least these reasons, claim 12 particularly points out and distinctly claims the subject matter which applicant regards as the invention.

Applicants respectfully request withdrawal of these rejections.

The Claimed Invention

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 11, is directed to a dishwasher comprising a comminution device for comminuting rinsing residue, the comminution device and the circulatory pump being operatively interconnected in a manner such that the comminution device is temporarily driven by the circulatory pump.

The present invention provides a dishwasher with a comminution device that can be operated only temporarily, i.e. it can be specifically switched on and off as required. In this manner, the comminution device can be activated only, for example, when coarse rinsing residue occurs in the dishwasher, such as during the pre-rinse phase or during the washing process. The temporary operation of the comminution device provides an important advantage in that the comminution device can be driven only as needed, thereby reducing the energy consumption for driving the comminution device and also protecting the comminution device. See, e.g., page 2, lines 21-28.

The Rejections under 35 U.S.C. § 102

In the Office Action, claims 11-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Miller et al. reference (EP 1057445). Applicants respectfully traverse this rejection.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. [...] The identical invention must be shown in as complete detail as is contained in the ... claim." M.P.E.P. § 2131.

Applicants respectfully submit that the Miller et al. reference does not disclose all of the features of the claimed invention including "a comminution device for comminuting rinsing residue, in which the comminution device and the circulatory pump are operatively interconnected in a manner such that the comminution device is temporarily driven by the circulatory pump," as recited in independent claim 11.

As explained above, these features are important, for example, for switching the comminution device on and off as required, thereby reducing the energy consumption for driving the comminution device and also protecting the comminution device. See, e.g., page 2, lines 21-28.

The Miller et al. reference very clearly does not teach or suggest these features.

Contrary to the assertions in the Office Action, the Miller et al. reference does not teach that the comminution device and the circulatory pump are operatively interconnected in a manner such that the comminution device is temporarily driven by the circulatory pump, as recited in claim 11.

Instead, the Miller et al. reference discloses that, upon assembly of the comminution device and the circulatory pump, the comminution device and the circulatory pump are permanently engaged and driven. The device of the Miller et al. reference does not decouple or disengage the comminution device from the circulatory pump during operation of the pump.

The Miler et al. reference does not disclose anything that is remotely close to operating the circulatory pump with the comminution device disengaged or decoupled from the circulatory pump. Instead, the Miller et al. reference discloses that the "detachable coupling" between the second end 258b and the drive extension 260 is designed to accommodate the tolerance T in the end location of the drive extension. When read in the context of the application as a whole, the teaching of accommodating the tolerance T does not mean, however, that the second end 258b is disengaged from the drive extension 260 such that the comminution device is disengaged from the circulatory pump. Indeed, in the Miller et al. reference, the comminution device remains operatively engaged with the drive extension irrespective of the tolerance T.

For these reasons, the Miller et al. reference does not disclose at least "a comminution device for comminuting rinsing residue, in which the comminution device and the circulatory pump are operatively interconnected in a manner such that the comminution device is temporarily driven by the circulatory pump," as recited in independent claim 11.

As explained above, these features are important, for example, switching the comminution device on and off as required, thereby reducing the energy consumption for driving the comminution device and also protecting the comminution device. See, e.g., page 2, lines 21-28.

For these reasons, the Miller et al. reference does not disclose all of the features of claim 11.

Moreover, Applicants respectfully submit that claims 12-16 are patentable over the Miller et al. reference based on their dependency from claim 11, as well as for the additional features recited therein.

For example, claim 14 recites inter alia "wherein the comminution device and the circulatory pump are operatively interconnected such that a drive coupling between the comminution device and the circulatory pump is made by means of a connecting shaft that is a selected one of axial displaceable and non-axially displaceable."

The Miller et al. reference very clearly does not teach these features.

Contrary to the assertions in the Office Action, the Miller et al. reference does not teach that the connecting shaft that is a selected one of axial displaceable and non-axially displaceable. Instead, as explained above, the Miller et al. reference merely discloses that the detachable coupling between the second end 258b and the drive extension 260 extending from the impeller 230 is designed to accommodate the tolerance T in the end location of the drive extension 260. The Miller et al. reference very clearly does not disclose that the comminution device is disengaged from the drive extension 260 at any time after these parts are assembled, or that the second end 258b or the drive extension 260 are selected to be one of axial displaceable and non-axially displaceable, as recited in claim 14.

For these reasons, the Miller et al. reference does not disclose all of the features of claim 14.

The Miller et al. reference also does not teach the features of claim 15.

For example, claim 15 recites inter alia "wherein the connecting shaft is selectively axially displaceable into engagement with the circulatory pump such that a

drive coupling between the comminution device and the circulatory pump is made by means of an axial displacement of the connecting shaft into engagement with the circulatory pump and a drive coupling between the comminution device and the circulatory pump is broken as desired by means of an axial displacement of the connecting shaft out of engagement with the circulatory pump."

The Miller et al. reference very clearly does not teach these features.

Contrary to the assertions in the Office Action, the Miller et al. reference does not teach that the connecting shaft is axially displaceable into engagement with the pump such that the coupling is broken as desired by means of axially displacement of the shaft out of engagement with the pump. Indeed, paragraph [0024] of the Miler et al. reference is completely silent with respect to either the second end 258b or the drive extension 260 being axially displaceable such that the comminution device can be engaged and disengaged with the comminution device.

Instead, as explained above, the Miller et al. reference merely discloses that the detachable coupling between the second end 258b and the drive extension 260 extending from the impeller 230 is designed to accommodate the tolerance T in the end location of the drive extension.

The Miller et al. reference very clearly does not disclose that the connecting shaft is selectively axially displaceable into engagement with the circulatory pump such that a drive coupling between the comminution device and the circulatory pump is made by means of an axial displacement of the connecting shaft into engagement with the circulatory pump and a drive coupling between the comminution device and the circulatory pump is broken as desired by means of an axial displacement of the connecting shaft out of engagement with the circulatory pump, as recited in claim 15.

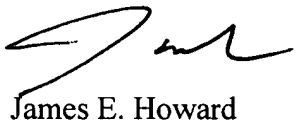
For at least these reasons, the Miller et al. reference very clearly does not disclose or suggest the subject matter defined by claims 11-16.

Applicants respectfully request withdrawal of these rejections.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of claims 11-20 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



James E. Howard
Registration No. 39,715
April 17, 2009

BSH Home Appliances Corporation
100 Bosch Boulevard
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com